

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA

SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

TED L. SMITH, D.C.
SSN: 423-76-4278,

CIVIL ACTION NO. 98-S-1624-S

FINDINGS AND CONCLUSIONS

This cause coming on to be heard on the written motion of Plaintiff, supported by affidavit, for Judgment by Default in favor of Plaintiff and against Defendant pursuant to Rule 55, Federal Rules of Civil Procedure, the Court makes the following findings and conclusions:

1. The Summons and Complaint were served upon defendant on August 17, 1998; Defendant has failed to appear, plead, or otherwise defend.

2. Defendant is not an infant or incompetent person, nor has Defendant been in the military service of the United States since the filing of this suit or for a period of six months prior to such filing.

3. Judgment was obtained by the Student Loan Marketing Association due to the defendant's failure to repay three health education assistance loans as authorized under 42

FILED

98 SEP 18 AM 9:24

U.S. DISTRICT COURT
N.D. OF ALABAMA

ENTERED

SEP 18 1998

U.S.C. § 294f and 42 CFR, Subpart 60.

4. Said judgment was entered by the Circuit court of Jefferson County, State of Alabama, on November 12, 1991 in the amount of \$32,746.66 principal, and \$97.00 court costs; interest on said judgment at 12% per annum.

5. Said judgment was assigned to the United States of America, Department of Health and Human Services, on July 16, 1992 upon payment of the claim filed by Student Loan Marketing Association. Pursuant to Pub. L. 102-408 and 42 U.S.C. § 292f, said state judgment is due to be affirmed and entered for enforcement purposes in the United States District Court for the Northern District of Alabama. A judgment will enter accordingly.

Done this the 18th day of September, 1998.



UNITED STATES DISTRICT JUDGE